



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

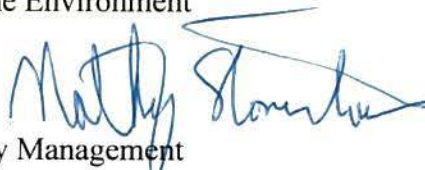
AUG 11 2016

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Remedial and Removal Program Coordination Regarding Potential Imminent Threats to Human Health or the Environment

FROM: Mathy Stanislaus
Assistant Administrator
Office of Land and Emergency Management 

TO: Regional Administrators
Deputy Regional Administrators

For many years, it has been a central feature of EPA's Superfund program philosophy to integrate the removal and remedial programs to achieve the greatest human health and environmental protection in the most efficient fashion. To this end, the EPA has urged Superfund decision-makers to broadly use the CERCLA removal authority to achieve quick, protective results at Superfund sites, consistent with all legal requirements, including public participation, particularly in cases presenting potential imminent threats to human health and the environment.

In such cases, remedial and removal programs' interaction should begin occurring as early as the receipt of preliminary sampling results (i.e., data do not have to be verified or validated in order to raise attention calling for a closer look, public dissemination with necessary context, and/or appropriate accelerated action). To encourage and foster this interaction, this memo requests that Regional Superfund Division Directors/Deputies direct your remedial staff, especially site Risk Assessors, Site Assessment Managers (SAMs) and Remedial Project Managers (RPMs), to coordinate and consult with the Region's removal program when they learn of sampling results that may pose an imminent threat to human health or the environment.

This coordination could occur at any point in the non-time-critical removal action process, including an engineering evaluation/cost analysis and post-removal site control, and/or remedial process, including preliminary assessment/site investigation; remedial investigation/feasibility study; remedial design/remedial action; or post construction site management. Such coordination will help ensure that the Superfund program continues to protect human health and the environment. Regional Risk Assessors, SAMs, RPMs, and remedial and removal section/branch chiefs should also be particularly sensitive to sites or situations that are more likely to pose risk levels that may require use of removal authorities. Examples include, but are not limited to: 1) drinking water supplies or sensitive ecosystems;

2) storage containers that may pose a threat of release; 3) high levels of contaminants (e.g., lead, arsenic, etc.) in soils that may migrate to surface water or groundwater or may provide direct exposure to sensitive populations such as infants or children. (See 40 C.F.R. Section 300.415(b)(2) for a full listing of the removal factors.) Remedial and removal staff may also benefit from taking training on the Superfund removal program that can be found through the CERCLA Education Center (go to <https://trainex.org/> for more details).

A site-specific decision concerning the use of removal or remedial authority will need to be made based on the NCP criteria and Agency policies and guidance, and in light of site-specific considerations such as time sensitivity, complexity, comprehensiveness and cost. The factors' relative importance will vary depending upon site conditions and the contemplated action. Each decision should be tailored to site conditions and circumstances.

This request does not alter the requirements for Headquarters removal or remedial consultation for nationally significant or precedent-setting issues (see for example the Sept. 2009 Superfund Removal Action Memorandum Guidance - pages 44-48).

If you have any questions please contact James Woolford at 703-603-8722 or Reggie Cheatham at 202-564-8003.

cc: Regional Superfund Division Directors
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